

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2018 OCT 10 PM 2:03

UNITED STATES OF AMERICA

DEPUTY CLERK

v.

No. **5-18CR0099-C**

DAVID SAMUEL AUGUSTUS CANTU

INDICTMENT

The Grand Jury Charges:

Count One

Transfer and Attempted Transfer of Obscene Material to a Minor
(Violation of 18 U.S.C. § 1470)

On or about July 28, 2018, in the Lubbock Division of the Northern District of Texas, and elsewhere, **David Samuel Augustus Cantu**, defendant, knowingly used a facility and means of interstate and foreign commerce, and transferred and attempted to transfer to another individual who had not attained the age of sixteen years, obscene matter, that is: Defendant sent one digital image file depicting an adult male engaged in lascivious exhibition of the genitals and pubic area of the adult male to a person Defendant knew and believed to be a minor female who had not attained the age of sixteen years.

In violation of Title 18, United States Code, Section 1470.

Forfeiture Notice
(18 U.S.C. § 1467)

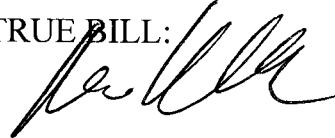
Upon conviction of the offense in Count One of the indictment, and pursuant to 18 U.S.C. § 1467, defendant **David Samuel Augustus Cantu** shall forfeit to the United States of America: (a) any property, real or personal, used or intended to be used to commit or to facilitate the commission of any violation of Chapter 117; and (b) any property, real or personal, that constitutes or is derived from proceeds traceable to any violation of Chapter 117. The above-referenced property subject to forfeiture includes, but is not limited to, the following: an Apple iPhone A1661, Serial Number F2LV2U2YHG00.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2428(a), to seek forfeiture of any other property of the said defendant up to the value of the forfeitable property described above.

A TRUE BILL:



FOREPERSON

ERIN NEALY COX
UNITED STATES ATTORNEY



JEFFREY R. HAAG
Assistant United States Attorney
West Texas Branch Chief
Texas State Bar No. 24027064
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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF TEXAS

LUBBOCK DIVISION

THE UNITED STATES OF AMERICA

v.

DAVID SAMUEL AUGUSTUS CANTU

INDICTMENT

18 U.S.C. § 1470

Transfer and Attempted Transfer of Obscene Material to a Minor
(One Count)

Notice of Forfeiture

(One count and forfeiture notice)

A true bill rendered,

Lubbock




Foreperson

Filed in open court this 10th day of October A.D. 2018.

Clerk

DEFENDANT IN FEDERAL CUSTODY

Complaint #5:18-MJ-123 filed 10/01/18.



UNITED STATES MAGISTRATE JUDGE